



EUROPEAN COMMISSION

PROTECTION OF YOUR PERSONAL DATA

This privacy statement provides information about the processing and the protection of your personal data.

Processing operation: Consultation on the establishment of a smart readiness indicator for buildings

Data Controller: DG-ENER/C3

Record reference: Legacy notification DPO-3300¹

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¹ <http://ec.europa.eu/dpo-register/detail/DPO-3300>

1. Introduction

The European Commission (hereafter 'the Commission') is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [Regulation \(EU\) 2018/1725](#) of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reason for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, the Data Protection Officer and the European Data Protection Supervisor.

This privacy statement concerns the Consultation on the establishment of a smart readiness indicator for buildings undertaken by the Data Controller.

2. Why and how do we process your personal data?

Purpose of the processing operation: The Data Controller is launching this consultation in order to obtain and collect contributions from the public in the process of developing the Smart Readiness Indicator, under the responsibility of the Unit Energy Efficiency, Directorate for Renewables, Research and Innovation and Energy Efficiency, Directorate-General for Energy, acting as the Data Controller. Personal data collected and further processed are only those data which are necessary for the management of contributions (such as name, surname, profession, postal and e-mail addresses, phone number/fax number, etc.), as well as the views of contributors on the topics concerned.

The Data Controller will publish the anonymised contributions received through the consultation report or other Commission's publications, unless the contributor objects to the publication of his/her contribution on the grounds that such publication would harm his/her legitimate interests.

Your personal data will not be used for an automated decision-making including profiling.

3. On what legal ground(s) do we process your personal data

The processing operations of personal data in the context of consultations are necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Union institution or body and they are lawful under Article 5(1)(a) of Regulation (EU) 2018/1725. The processing operations are necessary for the management and functioning of the Commission, as mandated by the Treaties, and more specifically Article 11 TEU, and Articles 179 to 181 TFEU. Directive 2018/844 (amending Directive 2010/31/EU on the Energy Performance of Buildings) provides for the development of the Smart Readiness Indicator.

Stakeholders and the public at large send their contributions to public consultations on a voluntary basis.

4. Which personal data do we collect and further process?

In order to carry out this processing operation the Data Controller collects the following categories of personal data: first name, family name, organisation, department/service, organisation's geographic area of activity, phone, e-mail address and the data subject's

categories they represent (citizens, industry, academics, public authorities, etc.). These elements are mandatory.

Please note that, for this exercise, we only collect data that is absolutely necessary for the consultation.

5. How long do we keep your personal data?

The Data Controller only keeps the data for as long as follow-up actions to the Consultation are necessary with regard to the abovementioned purpose(s) of this processing of personal data.

All personal data will be deleted from databases 1 year after the last action in relation to the Consultation.

6. How do we protect and safeguard your personal data?

All data in electronic format (e-mails, documents, uploaded batches of data etc.) are stored on the servers of the European Commission or of its contractors. All processing operations are carried out pursuant to Commission Decision (EU, Euratom) 2017/46 of 10 January 2017 on the security of communication and information systems in the European Commission.

The Commission's contractors are bound by a specific contractual clause for any processing operations of your data on behalf of the Commission, and by the confidentiality obligations deriving from the transposition of the General Data Protection Regulation in the EU Member States ('GDPR' Regulation (EU) 2016/679).

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures in place. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data is provided to the Commission staff responsible for carrying out this processing operation and to authorised staff according to the "need to know" principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

The Commission is supported in the development of the Smart Readiness Indicator by contractors. The results of this consultation will be shared with these contractors, which are bound by contractual arrangements to the same confidentiality agreements.

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

8. What are your rights and how can you exercise them?

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access, rectify or erase your personal data and the right to restrict the processing of your personal data. Where applicable, you also have the right to object to the processing or the right to data portability. You have the right to object to the

processing of your personal data, which is lawfully carried out pursuant to Article 5(1)(a) of Regulation (EU) 2018/1725.

You can withdraw your consent at any time by notifying the Data Controller. The withdrawal will not affect the lawfulness of the processing carried out before you have withdrawn the consent.

You can exercise your rights by contacting the Data Controller, or in case of conflict the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under Heading 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 10 below) in your request.

9. Contact information

- The Data Controller

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, please feel free to contact the Data Controller, DG ENERGY **ENER-C3-BUILDINGS-CONSULTATION@ec.europa.eu**.

- The Data Protection Officer (DPO) of the Commission

You may contact the Data Protection Officer (DATA-PROTECTION-OFFICER@ec.europa.eu) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- The European Data Protection Supervisor (EDPS)

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

10. Where to find more detailed information?

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

This specific processing operation has been included in the DPO's public register with the following Record reference: **Legacy notification DPO-3300**